

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 803 OF 2023

1. Sanjay s/o Shriram Mohature,
aged about 50 years, Occ. Service as Superintendent,
C/o Kasturba Gandhi Prathmik Ashram School Ajanti,
Tah. Ner, District – Yavatmal.
2. Baby d/o Mahadev Kangale,
aged about 45 years, Occ. Service as Cook,
C/o Vasant VJNT Primary Ashram School Haru,
Tah. Darwha, District – Yavatmal.
3. Vijaya Devrao Pusdekar,
aged about 54 years, Occ. Service as Lab Assistant,
C/o Late Chandrabhanji Pote VJNT Secondary Ashram School
Dongarkherda, Tah. Kalamb, District – Yavatmal.

PETITIONERS

.....VERSUS.....

1. The State of Maharashtra,
through its Secretary,
Social Welfare Department,
Mantralaya, Mumbai – 32.
2. The Divisional Social Welfare Officer,
Amravati Division, Amravati.
3. The Assistant Commissioner Social Welfare, Yavatmal,
District – Yavatmal.

RESPONDENTS

Shri R.N. Ghuge, Advocate for the petitioners.
Shri A.S. Fulzele, Additional Government Pleader for the respondents/ State.

CORAM : A.S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : FEBRUARY 3, 2023

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

RULE. Rule made returnable forthwith and heard the learned
Counsel for the parties.

2. The learned Additional Government Pleader waives notice for the respondents.

3. Each petitioner claims to be working as non-teaching staff in private Ashram Schools in the District of Yavatmal. The petitioners seek benefit of the Government Resolution dated 30/04/1998 as modified from time to time.

4. It is seen that the issues raised in the Writ Petition have been considered by this Court in *Writ Petition No. 2358/2013 (Kiran Namdeo Shinde and Ors. Vs. The State of Maharashtra, thr. Secretary, Social Welfare Dept. and Ors.)* decided on 21/09/2013 with other connected Writ Petitions.

5. In view of aforesaid, for the reasons stated in that judgment, the following order is passed :

ORDER

The respondents are directed to examine the cases of each of the individual petitioner for deciding whether they satisfy the criteria laid down for claiming first benefit under the ACP Scheme on completion of twelve years service to the private aided Government Schools under the Government Resolution dated 30/04/1998 as modified from time to time and if it is found that the petitioners are entitled to claim benefits under

the scheme and they satisfy the eligibility criteria, the respondents shall extend the benefits to the petitioners. The respondents shall scrutinize the cases of individual petitioners within a period of six months and extend the benefits to such of the petitioners, who are found eligible as expeditiously as possible and preferably within a period of four months from such scrutiny.

Rule is made absolute in the aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S. CHANDURKAR, J.)

SUMIT